

HIGH COURT OF UTTARNCHAL AT NAINITAL

Misc. Application No. 535/2006

In

**Criminal Appeal No. 1577 of 2001
Old No. 3148/1984.**

Naim Ahmad

S/o Hisamuddin Line No.6

Banmoolpura

Haldwani, Nainital

...Appellant

Versus

State

....Respondent

Hon'ble J. C. S. Rawat, J.

This criminal appeal was file against the judgment and order dated 23.10.1984 passed by the IInd Additional Sessions Judge, Nainital in S.T. No. 159/1983, convicting and sentencing the appellant to undergo for the period of two years R.I. under section 324.

The parties have filed the compromise application bearing No. 535/2006 alongwith the affidavits of Naim Ahmad and Javed Hussain (injured). The offence under section 324 of the I.P.C. is compoundable with the permission of the court. The permission having been accorded the compromise was sent for verification to the Registrar General of this Court. The same has been remitted back after verification. The compromise is, therefore, accepted.

In view of the compromise, the appeal is allowed and the conviction and sentence awarded against the appellant per judgment and order dated 23.10.1984 passed by the IInd Additioal Sessions Judge, Nainital in S.T. No. 159/1983 is hereby set-aside. The appellant is acquitted of the charge levelled against him. Therefore, he need not surrender. His bail bonds are cancelled and sureties discharged.

Dated 13.04.2006

(J.C.S. Rawat, J.)

LSR

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The appeal is allowed in view of the compromise order passed on the separate sheet.

Dated: 13/4/2006

BOC

